

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MARITZA GONZALEZ SANTOS
DEBTOR

* CASE NO. 11-04024 ESL
* CHAPTER 13
*

**DEBTOR'S OBJECTION TO CLAIM NUMBER 8-1
BY EMP BERRIOS FINANCIERA – CAGUAS III**

TO THE HONORABLE COURT:

NOW COMES, **MARITZA GONZALEZ SANTOS**, debtor, through the undersigned attorney, and very respectfully states and prays as follows:

1. That Emp Berrios Financiera – Caguas III ("Berrios") filed a proof of claim number 8-1, as a secured creditor, in the amount of \$4,802.80.
2. That claim number 8-1 is hereby objected on the grounds that the household appliances financing contract was executed between the parties on November 28, 1998, and that after approximately thirteen (13) years later, the financed household appliances no longer exist due to their normal "wear and tear". Thus, no property of the debtor and/or the bankruptcy estate serves as security for Berrios' claim.
3. Based on the aforementioned, debtor requests that claim number 8-1 filed by Berrios **be re-classified as an unsecured claim in the amount of \$4,802.80**, in the above captioned case.

WHEREFORE, the debtor requests this motion be granted, and that proof of claim number 8-1 be re-classified as an unsecured claim in the sum of \$4,802.80.

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NOTICE

Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of the same to José R. Carrión Morales, Esq., Chapter 13 Trustee; I also certify that a copy of this motion was sent via US Mail to: Jose Bague Ramos, Esq., Counsel for Empresas Berrios Financiera, PO Box 624 Toa Alta PR 00954 and via email: jbaguelaw@gmail.com; Emp Berrios Financiera Caguas III, PO Box 674 Cidra PR 00674; Maritza Gonzalez Santos, PO Box 324 Gurabo PR 00778, debtor in the above captioned case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 30th day of August, 2011.

/s/Roberto Figueroa Carrasquillo
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